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Applicant : Cargnelli et al
Appl. No : 09/628,929
Filed : July 28, 2000
Title : METHOD AND APPARATUS FOR HUMIDIFICATION AND
TEMPERATURE CONTROL OF INCOMING FUEL CELL
PROCESS GAS

Grp./A.U. : 3743
Examiner : J. Ford

Docket No. : 9351-21 / HSF

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Group 3700

Honorable Commissioner of Patents
Washington, D.C.
20231

November 20, 2001

AMENDMENT

Sir:

This is in response to the official letter mailed September 20, 2001.

REMARKS / ARGUMENTS

With respect to the drawings, a copy of formal drawings prepared for a counterpart PCT application is attached. Proper formal prints will be prepared in due course.

With respect to the requirement to elect a species for prosecution under the merits under 35 U.S.C. 121, applicants hereby elect Figure 1 for prosecution. Applicants note the Examiner's remark that claims 1 and 10 appear generic.

In response to the requirement, for a listing of all claims readable on the elected species, applicants advise that all the claims are believed to be readable on the elected species.

With respect to the restriction requirement under 35 U.S.C. 121, applicants provisionally elect claims 1 - 9, drawn to a method of humidifying a process gas and delivering it to a fuel cell. This election is made with traverse. It is submitted that the Examiner's argument that the two groups of claims are distinct is incorrect, and that the two groups of claims can properly be retained within this application and that they relate

to one invention. For the avoidance of doubt, it is applicants' position that the two groups of claims are patentably distinct.

INFORMATION DISCLOSURE STATEMENT

The Examiner is reminded that an Information Disclosure Statement was filed on December 18, 2000. No indication is given in the official action that this Information Disclosure Statement has been reviewed and made of record. It is understood that this action will be effected after the Examiner has conducted his own search.

Respectfully submitted,

Bereskin & Parr

By



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